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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/397,578      | 09/16/1999  | KEVIN PORTER         | RIC-99-006          | 8934             |

25537 7590 05/19/2003

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| EXAMINER |
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BUI, BING Q

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| ART UNIT | PAPER NUMBER |
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2642

DATE MAILED: 05/19/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/397,578

Applicant(s)

Porter et al

Examiner

Bing Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb 26, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-17 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 12 6) ☐ Other:

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## DETAILED ACTION

1. This action is in response to applicant's response filed on Feb. 26, 2003. Claims 1-22 are now pending in the present application. **This action is made final.**

### ***Claim Rejections - 35 U.S.C. § 103***

2. Claims 1-4, 6, 10 and 18-19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lung et al (US Pat No. 6,292,549) in view of Grimes (US Pat No. 5,553,128), cited by Applicant.

**Regarding claim 1**, with respect to Figs 1-3B, Lung et al teach the invention substantially as claimed, a method for implementing a call in a telecommunications network comprising the steps of:

receiving a request to forward calls directly to a first destination such as one of telephone sets 140 to a second destination such as another telephone set of the telephone sets 140 (Abstract; Figs 1 and 3B; col 8, ln 4-14).

Lung et al fail to explicitly teach the method of contacting the second destination to obtain an approval for forwarding calls to the second destination. However, Grimes teaches a method of contacting a target destination (second destination) and have a user of such target destination activate (obtain an approval) the forwarding of call (see col. 3, lns 24-36 and lns 49-55). Having the cited art at the time the invention was

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made, it would have been obvious to one of ordinary skill in the art to include the method of contacting a target destination (second destination) and have a user of such target destination activate (obtain an approval) the forwarding of call, as taught by Grimes, into communication system of Lung et al in order to provide the called party more control in handling the calls.

**Regarding claims 2-3**, the steps of denying the request to forward calls when the approval is not obtained and granting the request to forward calls when the approval is obtained are found in both Lung et al (col 9, ln 1-15) and Grimes (see col. 3, lns 24-55).

**Regarding claim 4**, Grimes further teaches the invention as claimed, wherein the step of contacting comprises placing a call to the second destination and requesting the approval (see col. 3, lns 24-36 and lns 49-55).

**Regarding claims 6 and 10**, Lung et al teach the first and second destination are telephone sets (Abstract and Fig 1, elements 140).

**As to claims 18 and 21**, they are rejected for the same reasons set forth to rejecting claim 1 above, since claims 18 and 21 are merely a system for implementing the method defined in the method claim 1.

**Regarding claim 19**, Lung et al teach a call forwarding, wherein the switch is a private branch exchange (PBX) (col 2, ln 4548).

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**Regarding claim 22**, Grimes further teaches the step of automatically forwarding calls when the target user activates the forwarding of calls (approval is obtained) (see col. 3, lns 49-55).

3. Claims 5 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lung et al (US Pat No. 6,292,549) in view of Grimes (US Pat No. 5,553,128), and further in view of Solomon et al (US Pat No. 5,361,295), of record.

**Regarding claims 5 and 20**, the integration system of Lung et al and Grimes does not explicitly teach the telecommunications system includes an interactive voice response (IVR) unit that generates a voice message for requesting the approval. However, Solomon et al teach an intelligent peripheral I/P (IVR) that plays a caller's message to a target subscriber and have the target subscriber decides whether or not to accept a call forwarded to him or her from the I/P (col 11, lns 20-55). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to include an intelligent peripheral I/P (IVR) that plays a caller's message to a target subscriber and have the target subscriber decide whether or not to accept a call forwarded to him or her from the I/P, as taught by Solomon et al, in order to provide more flexibility to the caller-ID subscriber in recognizing the caller.

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4. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lung et al (US Pat No. 6,292,549) in view of Grimes (US Pat No. 5,553,128), and further in view of Yamadera et al (US Pat No. 5,444,477).

**Regarding claims 7-9**, the combination of Lung et al and Grimes teaches the invention substantially as claimed with the exception of providing first destination and second destination are computer systems which have capabilities of placing and receiving a call, respectively.

However, Yamadera et al teach the first destination and second destination are computer systems which have capabilities of placing and receiving a call, respectively (Abstract; Fig 1, elements 101-105 and col 2, ln 34-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate computer systems which have capabilities of placing and receiving a call, as taught by Yamadera et al, into the combined system of Lung et al and Grimes for providing more flexibility in communication implementation.

#### ***Allowable Subject Matter***

5. Claims 11-17 are allowed.

#### ***Response to Arguments***

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6. Applicant's arguments with respect to claims 1 and 18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Bing Bui  
Patent Examiner / May 07, 2003

  
AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
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